

**MINUTES OF THE REGULAR MEETING  
OF THE LADY LAKE TOWN COMMISSION  
LADY LAKE, FLORIDA  
October 5, 2015**

The Regular Meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 6:00 p.m.

**A. CALL TO ORDER:** Mayor Ruth Kussard

**B. PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

**C. PLEDGE OF ALLEGIANCE**

**D. INVOCATION<sup>i</sup>:** Reverend Marilyn Anell – New Covenant United Methodist Church

**E. ROLL CALL:** Tony Holden, Commissioner Ward 2  
Dan Vincent, Commissioner Ward 3  
Jim Richards, Commissioner Ward 5  
Ruth Kussard, Mayor/Commissioner Ward 1

**ABSENT:** Paul Hannan, Commissioner Ward 4

**STAFF MEMBERS PRESENT:** Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Chief Chris McKinstry and Jan Miller, Administrative Assistant, Police Department; Pam Winegardner, Finance Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

**F. PUBLIC COMMENTS<sup>ii</sup>** - There were no comments at this time.

**G. PRESENTATION:**

**1. Check Presentation from the Orange Blossom Garden Lions Club to the Lady Lake Police Department (Doris Turlo/Chris McKinstry)**

Doris Turlo and Ralph Corso of the Orange Blossom Garden Lions Club presented a check in the amount of \$1,500 to Chief Chris McKinstry of the Lady Lake Police Department.

Chief McKinstry thanked Ms. Turlo and Mr. Corso, and the Orange Blossom Garden Lions Club for their generous donation, and for past donations. He stated these funds will go toward the purchase of bicycles to give away to children at National Night Out at the Target parking lot at 7 p.m. tomorrow night, and also for the upcoming Fall Safety Festival being planned for November.

**H. PROCLAMATION:**

**2. Proclaiming the Week of October 18-24, 2015 as Florida City Government Week 2015 (Mayor Kussard)**

Mayor Ruth Kussard read the proclamation proclaiming the week of October 18<sup>th</sup> to the 24<sup>th</sup> as Florida City Government Week, and encouraged everyone to do everything possible to ensure that it is recognized and celebrated accordingly.

**I. CONSENT<sup>iii</sup>:**

Town Manager Kris Kollgaard stated that consent item #I-8 for the Lady Lake Historical Society lease agreement is being pulled to further clarify insurance issues, and will be brought back at the October 19, 2015 Commission meeting.

Mayor Kussard asked if there were any questions or comments on the remaining Consent items.

**3. Minutes – September 16, 2015 – Special Commission Meeting  
– September 24, 2015 – Commission Workshop Meeting**

**4. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the American Legion Post 347 for the Boy Scout Hut (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the American Legion Post 347 desires to renew their lease agreement for the Scout Hut as sponsorship for Troop 244. The dates are the only changes to this document. The Town Attorney has approved the insurance and lease.

**5. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Chamber of Commerce for the Log Cabin (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lady Lake Area Chamber of Commerce once again desires to renew its lease agreement with the Town for the Log Cabin at Veterans Park. The new lease will have a one year term and includes the new indemnity clause and insurance requirements.

**6. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Kiwanis Club for the Caboose at the Log Cabin (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lady Lake Kiwanis Club once again desires to renew its lease agreement with the Town for the Caboose at the Log Cabin/ Veterans Park. The dates on the contract are the only changes to the proposed document. The insurance requirements for the indemnity clause have been removed due to the fact that the Town provides insurance at this location.

**7. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Dog Park Association, Inc. for the Rolling Acres Utility Site (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lady Lake Dog Park Association desires to once again renew its lease with the Town of Lady Lake. The dates are the only changes to this document. The Town Attorney has reviewed and approved the lease and insurance.

**8. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Historical Society for the Train Depot (Mike Burske)**

This item was pulled and tabled to the October 19, 2015 Commission meeting.

**9. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Little League for the Guava Street Athletic Complex Fields (3) and Concession Stand (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Little League desires to renew their lease agreement with the Town. The only changes to this document are the dates. The Town Attorney has reviewed the document and insurance.

**10. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Soccer Association for the Rolling Acres Sports Complex Concession Stand (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lady Lake Soccer Association is seeking to continue its lease for the soccer fields and the concession stand for the coming year. The insurance has been reviewed by Public Risk Management and the Town Attorney. The Use of Demised Premises has been changed to reflect the same uses as the Little League for their concession stand and facility. An indemnity has also been added to the lease agreement as recommended by P.R.M.

**11. Consideration for the Scouts to Once Again Host a Haunted House at the Scout Hut on October 16<sup>th</sup> through the 31<sup>st</sup>, 2015 (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Scouts are requesting the use of the Scout Hut for a haunted house on October 16<sup>th</sup> through the 31<sup>st</sup>. The project will be used as a fundraiser for the Scouts and will coincide with the Not Too Scary Halloween Party on the 24<sup>th</sup>. This has proven to be a good fundraising event for the Scouts and will be the fifth year for this event, if approved. The Scouts will also ask for leniency to change the dates as they are currently programming the event.

**12. Consideration to Host the Fall Community Safety Festival (Lady Lake Police Department and The Home Depot) (Chris McKinstry)**

The background summary for this agenda item is on file in the Clerk's Office. It states that the Lady Lake Police Department (LLPD) is requesting to co-host the Fall Community Safety Festival on Saturday, November 14, 2015 from 10 a.m. until 2 p.m. to heighten crime prevention and enhance safety awareness. This event will be held in the parking lot area of The Home Depot, and will feature a bicycle safety course, as well as public safety booths and vehicles. Community partners expressing a strong interest in participating at this time include The Villages Public Safety, Lake County Fire Department, Seniors vs. Crime, McDonald's, and our local police departments and Sheriff's offices. This event will be advertised locally through area businesses and news media.

*Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved Consent Items #I-3 through #I-12; excluding item #I-8, by a vote of 4 to 0.*

**J. OLD BUSINESS:** No old business.

**K. NEW BUSINESS:**

**13. Consideration of Approval to Put the Guava Street Athletic Complex/Little League Concession Stand Out to Bid (Mike Burske)**

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Clerk's office). He stated that Neel Schaffer Engineering has completed the design and specs for the Little League Concession Stand, and the project includes the parking area by the tennis courts and is ready to be put out to bid. The only items left out of the documents included in the packet are the dates for putting this project out to bid. He stated that he and the Town Manager will work with the dates if and when approval is given. Mr. Burske stated that this project will be funded with Parks and Recreation Impact Fees. He stated that this item passed the Parks, Recreation and Tree Board with a 4 – 0 vote.

Mr. Burske asked that the Commission keep in mind that there will be an additional cost of \$12,000.00 for C.E.I. services during construction. He stated Chris Schultz with Neel-Schaffer Engineering and Jim Karoly with the Little League are present if there are any questions.

*Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved the Consideration of Approval to Put the Guava Street Athletic Complex/Little League Concession Stand Out to Bid by a vote of 4 to 0.*

**14. Consideration of Maintenance Agreement with Munn's Air Conditioning & Heating to Provide Town-Wide HVAC Repair, Testing, and Maintenance Services (C.T. Eagle)**

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Clerk's office). He stated that the Town has a number of facilities and a variety of different HVAC units that require maintenance. He stated that this maintenance agreement includes all of the different units and facilities while also providing for optional repair and replacement work to be performed by the vendor at set prices. Mr. Eagle stated that staff did contact other vendors such as Trane, Dobbs Heat & Air, along with a few other local vendors to obtain quotes; no other comparable quotes were received that encompassed all of the Town facilities and various HVAC manufacturers. He stated the Trane proposal is attached to this items as reference; the proposal only includes Town Hall and is at a higher price. Mr. Eagle stated most local vendors service a specific manufacturer or do not specialize in commercial accounts, and Munn's is a local company that has performed work for the Town in the past. He stated that the Town Attorney has reviewed and approved this agreement, and this is a budgeted item.

Commissioner Richards commented that Mr. Eagle did a good job on this agreement.

*Upon a motion by Commissioner Holden and a second by Commissioner Richards, the Commission approved the Maintenance Agreement with Munn's Air Conditioning & Heating to Provide Town-Wide HVAC Repair, Testing, and Maintenance Services by a vote of 4 to 0.*

**15. Consideration to Utilize Ring Power Corporation to Provide Town-Wide Generator Repair Testing, and Maintenance Services (C.T. Eagle)**

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Clerk's office). He stated that in March of 2011, the Town Commission approved utilizing Ring Power Corporation to provide repair, testing, and maintenance services for all of the Town-owned

generators under one contract; a piggy-back with the City of Tallahassee. He stated that the City of Tallahassee has renewed their contract with Ring Power and staff recommends renewing the Town's contract as well; a letter of contract renewal for the City of Tallahassee is included in the packet for this item. Mr. Eagle stated that the Town Attorney has reviewed and approved this agreement, and that this is a budgeted item.

Commissioner Vincent commented he has done business with this company in the past and found them to be quite reputable.

*Upon a motion by Commissioner Vincent and a second by Commissioner Holden, the Commission approved utilizing Ring Power Corporation to Provide Town-Wide generator repair testing, and maintenance services by a vote of 4 to 0.*

**16. Consideration of Application for the 2016 Federal Fiscal Year FDOT Traffic Safety Grant (Chris McKinstry)**

Chief McKinstry gave the background summary for this agenda item (on file in the Clerk's office). He stated that in June of 2014, the Police Department submitted a concept paper to the Florida Department of Transportation for evaluation regarding the possibility of senior driving traffic safety grants becoming available. He reported that several months later, they were notified that they were not being considered. An FDOT representative advised that the proposed cost to fund the project exceeded any grant opportunities currently available and also some items requested were not permitted by FDOT criteria. Chief McKinstry stated he was asked to resubmit the concept paper for future consideration, and it was resubmitted with some changes in mid-2015. He stated that on September 11, 2015, an email was received from FDOT indicating that the Lady Lake Police Department had been selected to receive funding for the 2016 Federal fiscal year in the anticipated amount of \$23,365 by making application for that funding. Chief McKinstry stated that staff is requesting approval to make a formal application for the available funding.

*Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved for staff to apply for the 2016 Federal Fiscal Year FDOT Traffic Safety Grant, and accept if awarded, by a vote of 4 to 0.*

**L. TOWN ATTORNEY'S REPORT:**

**17. Ordinance No. 2015-14 – First Reading – Amending Ch. 10.5, Pensions & Retirements, Art. III; Modification of Investment Allocation for Police Pension Plan (Kris Kollgaard)**

Town Attorney Derek Schroth read the ordinance by title.

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk's office). She stated that at the June 10, 2015 Police Pension Board meeting, the Board considered a recommendation by The Bogdahn Group to broaden the asset allocation percentages to include real estate investments (not to exceed 15%), and authorized the Board attorney to draft an ordinance to that effect. Ms. Kollgaard stated that at the September 9, 2015 Police Pension Board meeting, Scott Christiansen, Board Attorney, proposed the attached draft ordinance for the Board's approval. This ordinance amends Section 10.5-34, Finances and Management – Establishment and Operation of Fund and allows a modification of the investment allocation percentages as discussed. Excerpts of the minutes of both meetings were included in the packet. She stated that the Town Commission is scheduled to vote on this ordinance for second/final reading at its meeting on October 19, 2015.

Ms. Kollgaard reported the proposed changes to asset allocation include the following:

Asset Class	Current Target	Proposed Target
Domestic Equity	50%	45%
International Equity	10%	15%
Broad Market Fixed Income	40%	25%
Global Fixed Income	0%	5%
TIPS	0%	0%
Real Estate	0%	10%

Ms. Kollgaard stated that David West of The Bogdahn Group was unable to attend this evening's meeting, but is available to answer questions by speaker phone, or staff can ask him to attend the meeting for the second/final reading on October 19, 2015.

Commissioner Richards stated he does not feel qualified to review this, although he is bothered by the Global Fixed Income target of 5%, with Real Estate at 10%. He stated he thought the current investments were doing well.

Ms. Kollgaard stated the investments are doing well, but it was brought up that the plan may want to include real estate.

Commissioner Richards stated he would vote to approve first reading, but would like to have more information before the second reading or have someone with investment knowledge attend the meeting for the second reading of this ordinance.

Commissioner Holden stated that he is the one that stirred the pot and requested the plan broaden their investments as at least 35% of the fund is in bonds, which were only getting approximately 1.5% interest. He stated the plan needs to look ahead to protect the 6 3/4 million currently in the plan for future growth.

*Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved Ordinance No. 2015-14 – First Reading – Amending Ch. 10.5, Pensions & Retirements, Art. III; Modification of Investment Allocation for Police Pension Plan, by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**18. Ordinance No. 2015-13 – Second/Final Reading – Amending the Text of Policy 1-10.1, F) of the Future Land Use Element of the Lady Lake Comprehensive Plan 2030 – Allowing for the Construction of Individual Single Family Dwelling Units on Lots of Record Existing as of September 26, 2006 (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the Town of Lady Lake has filed a text amendment to the Comprehensive Plan 2030 in an effort to address a necessary correction to the description of the

Manufactured Home High Density (MH-HD) Future Land Use (FLU) Classification. This amendment is directly related to the request to annex properties in the Orange Blossom Gardens Subdivisions into the Town of Lady Lake, and to rezone them to the Mixed Residential Medium Density (MX-8) FLU classification. Mr. Carroll summarized that this ordinance is a clean-up effort to bring the comprehensive plan in order with Ordinance No. 2006-68, and accompanies Ordinance No. 2015-08.

Orange Blossom Gardens has been in existence since the 1960's and was begun as a mobile home community in Lake County, Florida (unincorporated). In the 1980's, the Town of Lady Lake began to annex areas of Orange Blossom Gardens, assigning them the R-3 zoning classification which permitted mobile home construction. In August of 1989, Ordinance 89-22 of the Town of Lady Lake amended the R-3 classification of the Town's zoning ordinance to allow mobile homes, as well as pre-fabricated homes. In the following year, under Ordinance 90-102, the Town again amended the R-3 zoning category to allow site-built homes.

On August 15, 1994, through Ordinance 94-08, the Town of Lady Lake elected to repeal numerous ordinances and provisions by adopting "The Land Development Code of the Town of Lady Lake", as well as an accompanying Town Zoning Map. The properties of Orange Blossom Gardens were given the zoning classification of Mixed Residential Medium Density (MX-8), which permitted mobile home construction, as well as single-family conventional construction.

Finally, under Ordinance 2006-68 adopted September 21, 2006, the Town Commission of the Town of Lady Lake amended the language the Manufactured Home High Density (MH-9) to allow individual single family dwelling units to be located on lots of record existing as of September 21, 2006. Until that time, the MH-9 zoning classification was the only residential classification that did not permit single-family residential construction. Given the age of many of the mobile homes in the community, the ordinance expanded the opportunity for those choosing to replace their mobile home to do so with a conventional single family home.

Again, the areas of The Villages (Orange Blossom Gardens/Hills) were rezoned MX-8 in 1994; therefore, the zoning has long been in place for either construction type. However, concurrent with the adoption of Ordinance 94-08, the Town failed to amend the Future Land Use Classification to Mixed Residential Medium Density (MR-MD), the properties remained under the MH-HD future land use classification which permitted only the manufactured home and mobile home construction types.

Given that the MX-8 zoning classification density (eight dwelling units per acre) is less than the density allowed under the Manufactured Home High Density classification (nine dwelling units per acre), the Town at this time is requesting a text amendment to the Comprehensive Plan to incorporate the necessary language to the MH-HD future land use classification to allow both housing types as intended under Ordinance 94-08, and edified by the adoption of Ordinance 2006-68 to allow the replacement of mobile and manufactured homes town-wide (at least for those lots of record which existed prior to September 21, 2006, of which those lots assigned MX-8 in 1994 within The Villages qualify). The amendment will in no way prohibit the residents of the MH-HD future land use classification from choosing the construction type of their home through its passage.

This amendment is consistent with the Town's Comprehensive Plan policy: Policy HSG 1-1.2: Promote a Diversity of Housing Types. The Town's Future Land Use Map shall designate the appropriate land uses to accommodate a diversity of housing needs.

The Planning and Zoning Board heard the application for Ordinance No. 2015-13 at their regular meeting on Monday, September 14, 2015, and recommended approved by a 3-0 vote. At their regular meeting on Wednesday, September 16, 2015, the Local Planning Agency considered Ordinance No.

2015-13 and recommended approval by a vote of 5-0. At their Special Meeting on Wednesday, September 16, 2015, the Town Commission voted 5-0 for approval of Ordinance No. 2015-13 upon First Reading.

*Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved Ordinance No. 2015-13 – Second/Final Reading – Amending the Text of Policy 1-10.1, F) of the Future Land Use Element of the Lady Lake Comprehensive Plan 2030 – Allowing for the Construction of Individual Single Family Dwelling Units on Lots of Record Existing as of September 26, 2006, by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**19. Resolution No. 2015-108 – First/Final Reading- Kevco Builders for Cezary & Patricia Fronczak – Requesting an After-the-Fact Variance Pursuant to the Provisions of Chapter 5, Section 5-4).C).4). to Increase the Maximum Impervious Surface Area from 35% to 42.8% of the Lot Size to Retain Concrete Improvements Already Made Such as Rear Patio Concrete Slab, Driveway, and Connecting Sidewalk – Located at 510 Dowling Circle (Wendy Then)**

Town Attorney Derek Schroth read the resolution by title.

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that the applicant, Bryan Smith Kevco, has filed a variance application on behalf of property owners Cezary & Patricia Fronczak from the provisions of Chapter 5, Section 5-4).c).4).E). of the Land Development Regulations (LDRs) which states that the maximum impervious surface within the RS-3 Zoning should not exceed 35%. The applicant proposes the impervious surface area to be increased from 35% to 42.8% to be allowed to retain concrete improvements already constructed such as rear patio concrete slab, driveway, and sidewalk, constructed at 510 Dowling Circle (Alternate Key 3682904).

Ms. Then showed photos of the property and reviewed the background for this variance request as follows:

During the construction of the single family residence at 510 Dowling Circle, certain concrete improvements were completed that originally were not part of the zoning clearance issued for the Single Family Residence project (Permit No. 15-0173) as it relates to concrete to be poured on the site. Upon submittal of an as-built survey to the Growth Management Department, it was determined that the total impervious surface area was increased to 6,634.38 sq. ft. within the 15,499.87 sq. ft. lot; yielding 42.8% of impervious surface area (concreted area) in the lot. At this time the applicant is requesting an increase of 7.8% of what is currently allowed under the RS-3 Zoning District.

As required of this application, a Justification Statement has been submitted. The applicant stated that the concrete flatwork was an oversight during construction, it's mostly within the setback, and all building codes have been followed. Further, the applicant stated that these improvements brings new tax roll for the Town and the final product is consistent with the quality of the homes built within this neighborhood. Additionally, the denial of the variance would create a hardship should the owner have to remove approximately 1000 sq. ft. of concrete; which would have to be redone with pavers and the finish wouldn't be the same. Lastly, the homeowners association is aware of the variance and has provided a letter of support/approval for the concrete improvements.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 05, Township 18, Range 24, Lady Lake, Florida. The property is zoned “RS-3” Single Family Low Density (up to three dwelling units per acre), which permits the construction of these residential improvements. The Future Land Use Map designation for the site is SF-LD (Single Family Low Density).

**Zoning/Future Land Use**

Subject Property	RS-3- Single Family Low Density/ SF-LD
<b>Zoning of Adjacent Properties</b>	
West	RS-3- Single Family Low Density/ SF-LD
East	RS-3- Single Family Low Density/ SF-LD
North	RS-3- Single Family Low Density/ SF-LD
South	RS-3- Single Family Low Density/ SF-LD

Ms. Then stated that notices to inform the surrounding property owners (9) within 150’ of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, August 31, 2015 and the property was also posted the same day. There have been no objections received.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Resolution No. 2015-108 and provided comments on September 4, 2015 that determined the application complete and ready for transmittal to the Planning and Zoning Board and the Town Commission. The Planning and Zoning Board heard the application for Resolution No. 2015-108 at their regular meeting on Monday, September 14, 2015, and recommended approval by a 3-0 vote.

Ms. Then stated that the property owners are present if there are any questions.

Commissioner Richards asked about an engineer’s recommendation regarding run-off since there is more impervious surface.

Ms. Then replied that flat work was done in between landscaping and open areas and the property has good drainage into swales. She stated that there is also flat work in the back that is not near the rear easement.

Mr. Carroll stated that individual site plans are not normally reviewed by an engineer, but that staff can look into it. He stated the home site is adjacent to a golf course.

After discussion, the Commission agreed to table this item so that an engineer can look at the property before the final reading.

*Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission tabled the first/final reading of Resolution No. 2015-108 to the October 19, 2015 meeting, by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**20. Resolution No. 2015-110 – First/Final Reading – SRK Lady Lake 43 Associates, LLC for SteinMart – Variance Request Pursuant to Chapter 17, Section 4.b.2.E. to Allow a Secondary Wall Sign to be Placed on the Southeast Elevation of the Building Referenced as Retail Tenant Space 1 – Located within the Lady Lake Crossing Plaza at 456 North Highway 27/441 (Wendy Then)**

Town Attorney Derek Schroth read the resolution by title.

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that on August 26, 2015, Town staff received a variance application from applicant Martin J. DelleBovi with SRK Lady Lake 43 Associates for secondary wall signage to be placed on the southeast elevation of the building facing North Highway 27/441, referenced as Retail Tenant Space 1, located within the Lady Lake Crossing Plaza. The applicant has filed the variance application for the SteinMart Department Store to be located at the Lady Lake Crossing Plaza for property addressed as 456 North Highway 27/441. The variance request has been made pursuant to the provisions of Chapter 17, Section 4.b.2.E., of the Town of Lady Lake Land Development Regulations which only allows wall signs to be placed on the main façade of the business. The proposed sign would be approximately 32'3" x 6' or 193.5 sq. ft. in copy area.

Ms. Then reviewed photos of the property which included renderings of the proposed sign illustrating the size and location of the sign. She reviewed the background as follows:

As required of this application, a Justification Statement has been submitted. The applicant stated that having the channel letter signs facing this elevation will assist the northbound traffic to identifying the store's location. Additionally, the applicant indicated that drivers coming south to north on Fennell Boulevard would be better directed to the store, thus providing advanced direction to prepare them to make an upcoming left into the property. Lastly, the applicant feels that given the size of the building for this anchor store, featuring wall signage consistent with the one already installed on the main façade of the business is more in line with Commercial Design Standards and the spirit of the Sign Code than an empty façade on that significant elevation.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.

5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 08, Township 18, Range 24, Lady Lake, Florida. The property is zoned "PUD" Planned Unit Development, which permits the development in existence. The Future Land Use Map designation for the site is RET (Commercial General-Retail Sales and Services). The requested use is consistent with the adopted Memorandum of Agreement Ordinance 2006-04 for the Lady Lake Crossing Plaza and the directives of the Comprehensive Plan and adopted Land Development Regulations.

Ms. Then stated that notices to inform the surrounding property owners (3) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, August 31, 2015 and the property was posted the same day. A second variance has been submitted concurrently with this application requesting to increase wall sign copy area to accommodate the proposed secondary wall sign.

Ms. Then stated the Technical Review Committee (TRC) members individually reviewed the application for Resolution No. 2015-110 and provided comments on September 4, 2015 that determined the application complete and ready for transmittal to the Planning and Zoning Board and the Town Commission. The Planning and Zoning Board heard the application for Resolution No. 2015-110 at their regular meeting on Monday, September 14, 2015, and recommended approval by a 3-0 vote. Ms. Then stated the developer is present if there are any questions.

Mayor Kussard asked if there was any public comment on this resolution, and hearing none, asked for a motion.

*Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved Resolution No. 2015-110 – First/Final Reading – SRK Lady Lake 43 Associates, LLC for SteinMart – Variance Request Pursuant to Chapter 17, Section 4.b.2.E. to allow a Secondary Wall Sign to be placed on the Southeast Elevation of the Building Referenced as Retail Tenant Space 1 – Located within the Lady Lake Crossing Plaza at 456 North Highway 27/441, by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**21. Resolution No. 2015-111 – First/Final Reading – SRK Lady Lake 43 Associates, LLC for SteinMart – Variance Request Pursuant to Chapter 17, Section 4.b.2. to Increase Wall Sign Copy Area an Additional 187 Sq. Ft. from the Maximum 200 Sq. Ft. Allowed for a Secondary Wall Sign for Retail Tenant Space 1 – Located within the Lady Lake Crossing Plaza at 456 North Highway 27/441 (Wendy Then)**

Town Attorney Derek Schroth read the resolution by title.

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that the applicant, Martin J. DelleBovi with SRK Lady Lake 43 Associates, has

filed the second variance application requesting to increase allowable wall sign copy area to accommodate the proposed secondary wall sign for the SteinMart Department Store to be located on Retail Tenant Space 1, at the Lady Lake Crossing Plaza for property addressed as 456 North Highway 27/441. Pursuant to the provisions of Chapter 17, Section 17-4).b).2), wall sign copy area cannot exceed a total of 200 sq. ft. per tenant. SteinMart has already installed a wall sign approximately 193.5 sq. ft. on the main façade of the business and the proposed secondary wall sign would be the same size; thus prompting the submittal of a concurrent variance addressing the additional increase in signage.

Ms. Then stated that the requests is to allow an additional 187 sq. ft. from the maximum 200 sq. ft. allowed, for a total of 387 sq. ft. of wall sign copy area, since each sign would be 193.5 sq. ft.

Ms. Then reviewed photos of the site and postings. She reported that a Justification Statement has been submitted by the applicant stating that having the channel letter signs facing this elevation will assist the northbound traffic to identifying the store's location. Additionally, the applicant indicated that drivers coming south to north on Fennell Blvd. would be better directed to the store thus providing advanced direction to prepare them to make an upcoming left into the property. Lastly, the applicant feels that given the size of the building for this anchor store, featuring a wall signage consistent with the one already installed on the main façade of the business, is more in line with Commercial Design Standards and the spirit of the Sign Code rather than an empty façade on that significant elevation.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
6. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 08, Township 18, Range 24, in Lady Lake, Florida. The property is zoned "PUD" Planned Unit Development, which permits the development in existence. The Future Land Use Map designation for the site is RET (Commercial General-Retail Sales and Services). The requested use is consistent with the adopted Memorandum of Agreement Ordinance 2006-04 for the Lady Lake Crossing Plaza and the directives of the Comprehensive Plan and adopted Land Development Regulations.

Ms. Then stated that notices to inform the surrounding property owners (3) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, August 31, 2015 and the property was posted the same day.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Resolution No. 2015-111 and provided comments on September 4, 2015 that determined the application complete and ready for transmittal to the Planning and Zoning Board and the Town Commission. The Planning and Zoning Board heard the application for Resolution No. 2015-111 at their regular meeting on Monday, September 14, 2015, and recommended approval by a 3-0 vote.

Mayor Kussard asked if there was any public comment on this resolution, and hearing none, asked for a motion.

*Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved Resolution No. 2015-111 – First/Final Reading – Variance Request Pursuant to Chapter 17, Section 4.b.2. to Increase Wall Sign Copy Area an Additional 187 Sq. Ft. from the Maximum 200 Sq. Ft. Allowed for a Secondary Wall Sign for Retail Tenant Space 1 – Located within the Lady Lake Crossing Plaza at 456 North Highway 27/441, by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

22. a) **Ordinance No. 2015-05 – Second/Final Reading – Sawmill Holdings, LLC – Large Scale Future Land Use Amendment Application to Change Future Land Use from Single Family Medium Density (SF-MD) to Commercial Tourist (CT) to Establish an RV Park Facility – Located at 3105 Hartsock Sawmill Road, Approximately 1,500 Ft. East of Highway 27/441 (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title.

b) **Ordinance No. 2015-06 – Second/Final Reading – Sawmill Holdings, LLC – Rezoning Application to Change Future Land Use from Single Family Medium Density (RS-6) to Commercial Tourist (CT) to Establish an RV Park Facility – Located at 3105 Hartsock Sawmill Road, Approximately 1,500 Ft. East of Highway 27/441 (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title.

c) **Ordinance No. 2015-07 – Second/Final Reading – Sawmill Holdings, LLC – Special Exception Use Application to Incorporate Terms and Conditions for the Development and Operation of a 185 Unit RV Park Facility with a 4,500 Sq. Ft. Clubhouse, Bathhouse, Registration Building and Park – Located at 3105 Hartsock Sawmill Road, Approximately 1,500 Ft. East of Highway 27/441 (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title.

Growth Management Director Thad Carroll gave the background summary for these agenda items (on file in the Clerk's office). He stated that the applicant, LPG Urban & Regional Planners, has filed applications on behalf of Sawmill Holdings, LLC, to amend the Future Land Use designation, to amend the Zoning classification, and to establish a Special Exception Use (SEU) upon property (AK# 1771358) located at 3105 Hartsock Sawmill Road, approximately 1,500 feet east of Highway 27/441, which includes 53.14± acres within Town of Lady Lake limits.

Mr. Carroll showed aerial views of the property, future land use of the subject property and adjacent parcels, as well as the conceptual plan layout.

The Future Land Use Amendment (**Ordinance No. 2015-05**) proposes a change from Single Family Medium Density (SF-MD) to Commercial Tourist (CT). The rezoning of the property (**Ordinance No. 2015-06**) requests a change from Single Family Medium Density (RS-6) to Commercial Tourist (CT).

In accordance with the Town of Lady Lake Land Development Regulations, Chapter 5, Section 5-4, k).2).B), upon approval of a Special Exception Use application (**Ordinance No. 2015-07**), a Recreational Vehicle (RV) Park can be established within the Commercial Tourist Zoning District; therefore, a concurrent submittal for a Special Exception Use has also been applied for at this time.

As per the Town's Land Development Regulations, a *Recreational vehicle park (or RV Park)* is defined as *a parcel of land under single ownership, where sites are offered for rent for the temporary placement of recreational vehicles being used for travel, recreation or vacation purposes.*

Chapter 6, Section 2, (e), (2) Review Criteria.

When reviewing an application for a special exception the Town Commission shall consider the following requirements and criteria, including but not limited to:

1. Traffic generation and access for the proposed use shall not adversely impact adjoining properties and the general public safety.
2. Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district.
3. Required yards, screening or buffering, and landscaping shall be consistent with the district in general and the specific needs of the abutting land uses.
4. Size, location or number of special exception uses in the area shall be limited so as to maintain the overall character of the district as intended by this Code.
5. Architectural and signage treatments shall comply with the general provisions applicable to permitted uses in the district, to the greatest extent possible, and be sensitive to surrounding development.
6. The availability of utilities services (such as water, sewer, and solid waste) and recreational facilities.

The conceptual bubble plan dated May 22, 2015 submitted by LPG Urban and Regional Planners, Inc. highlights a complete facility to include clubhouse, bath house, registration/office building, and park with a Frame Vernacular Architectural Style. The projected density for the plan is 3.56 units/acre with a typical RV lot size of 3,600 (40' x 90') sq. ft. The lots will be individually sold for fee-simple ownership.

The applications were received on April 28, 2015 and have been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs), as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission for second and final reading. A justification statement has also been included as part of the Large Scale Comprehensive Plan Amendment Application, which the applicant submitted for justifying why the future land use should be amended for the development proposed.

Impact on Town Services:

Potable Water-

- ♦ Potable Water Systems – CUP allocation of 1.18 million gpd (2015)
- ♦ Current water systems usage – 687,016 gpd
- ♦ Demand Contingent on Occupants of Development (500,984 gpd available)

Sewer -

- ♦ 1,000 gpd is maximum capacity for sanitary sewer plant
- ♦ Current sanitary sewer usage – 240,000 ± gpd
- ♦ 480,000 gpd available for sanitary sewer
- ♦ At build-out. the proposed RV Park would utilize 23,250 gpd for water and sewer.

Schools –

- ♦ Not factored for project – no foreseen impact of students.

Transportation –

- ♦ Traffic Analysis indicates that the proposed Future Land Use designation of CT – RV Park Only, will generate 125 fewer a.m. peak hour trips and 125 fewer p.m. peak hour trips than the current SF-MD Designation assuming maximum potential under the Future Land Use Classification.

Parks & Recreation –

- ♦ Addition in population will not cause P&R Level of Service to be exceeded.

Stormwater –

- ♦ Project will be required to adhere to SJRWMD guidelines.

State and Regional Agency Review: On July 9, 2015, the Large Scale Amendment Package 15-1ESR (Ordinance No. 2015-06) was transmitted to the Florida Department of Economic Opportunity under the Expedited State Review process for comment and review, as well as the Department of Environmental Protection, Lake County Board of County Commissioners, Lake-Sumter Metropolitan Planning Organization, East Central Florida Regional Planning Council, Florida Bureau of Historic Preservation, Florida Department of Transportation(District 5), and the St. John’s River Water Management District. These agencies identified no comments regarding any negative impacts to state and regional resources and facilities as a result of the adoption of the Large-Scale Future Land Use Amendment (review letters were included in the packet).

Mr. Carroll reviewed the comments from State and regional agencies as follows:

- St. John’s River Water Management District staff comments received on July 27, 2015 stated no adverse impacts were identified.
- The Florida Department of Environmental Protection reply received on August 11, 2015 found no adverse impacts.
- The Florida Department of Transportation District 5 reply was received on July 27, 2015 and had no concerns.
- The Lake-Sumter MPO reply was received on September 10, 2015 and found the amendment will result in a reduction of potential impact to the roadway.
- The Florida Department of Education reply was received on July 21, 2015 and offered no comment as there appeared to be no impact on the school system.
- The Florida Department of Economic Opportunity reply was received on August 11, 2015 and identified no adverse impact or comment.

The subject property involving approximately 53.14 ± acres lies in Section 27, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use and Zoning Designation of the adjacent properties is as follows:

**Future Land Use**

Subject Property	Lady Lake – Single Family- Medium Density (SF-MD)-Up to 6 du/ac
<b>Future Land Use of Adjacent Properties</b>	
West	Lady Lake – Manufactured Home High Density (MH-HD)-Up to 9 du/ac and Lake County- Urban Medium Density
East	Lake County – Urban Low Density
North	Lady Lake – Single Family- Medium Density (SF-MD)-Up to 6 du/ac
South	Lake County – Urban Medium Density

**Zoning**

Subject Property	Lady Lake– Single Family Medium Density (RS-6)- Up to 6 du per acre
<b>Zoning of Adjacent Properties</b>	
West	Lady Lake – Manufactured Home High Density (MH-HD) and Lake County – R-1
East	Lake County – R-1
North	Lady Lake– Single Family Medium Density (RS-6)- Up to 6 du per acre
South	Lake County – Agriculture

Comments:

- 1) Applicant must submit a Plat for the proposed 185-Unit RV Park site if the Town Commission approves the comprehensive plan amendment, rezoning, and Special Exception Use applications to allow the RV Park.
- 2) Since the property to be developed is within a Special Flood Hazard Area- Flood Zone AE and Wetlands, a flood study will be required by the applicant establishing BFE during the site plan review and to mitigate compensation storage.
- 3) Town of Lady Lake Commercial Design Standards outlined in Chapter 20 of the LDRs must be adhered to prior to any design of site plans for the proposed buildings associated with this development.
- 4) Connection to Town Utilities will be required to service this RV Park Site.
- 5) Prior to the initiation of development activities, the applicant will need to conduct a coverboard survey to identify the existence of Sand Skink and mitigate with a FWC permit accordingly if found.
- 6) Mitigation may be necessary for site plan approval to address concurrency deficiencies associated with the impacts of this project.

Mr. Carroll reported that notices to inform the surrounding property owners (13) within 150’ of the property of the proposed amendment were mailed by certified mail return receipt on Thursday, May 21, 2015, and the property was posted the same day. The property was re-posted for the second hearing on Tuesday, September 15, 2015. He stated there were a couple of objections at the Planning

and Zoning Board meeting and the first Town Commission meeting, and courtesy information sheets were sent out to those requesting it. He stated staff has heard no further comment in opposition.

Past Actions: The Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2015-05, Ordinance No. 2015-06, and Ordinance No. 2015-07, provided comments on May 27, 2015, and determined the applications to be complete and ready for transmittal to the Planning and Zoning Board. The Planning and Zoning Board heard the applications for Ordinance No. 2015-05 and Ordinance No. 2015-06 at their regular meeting on Monday, June 8, 2015, and recommended approval of both ordinances with a 4-0 vote. The Planning and Zoning Board does not make recommendations for Special Exception Use applications. At the July 6, 2015 meeting of the Local Planning Agency, the LPA recommended approval of Ordinance No. 2015-06 by a vote of 4-0. The LPA does not consider Rezoning applications and Special Exception Use applications. At first reading before the Town Commission on July 6, 2015, the Commission voted to approve Ordinance No. 2015-05, Ordinance No. 2015-06, and Ordinance No. 2015-07 by a vote of 4-0.

Mr. Carroll stated the applicant's representative, Greg Belliveau with LPG, is present if there are any questions.

Mayor Kussard asked if there was any public comment on Ordinance No. 2015-05, and hearing none, asked for a motion.

***Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved Ordinance No. 2015-05 – Second/Final Reading – Sawmill Holdings, LLC – Large Scale Future Land Use Amendment Application to Change Future Land Use from Single Family Medium Density (SF-MD) to Commercial Tourist (CT) to Establish an RV Park Facility – Located at 3105 Hartsock Sawmill Road, Approximately 1,500 Ft. East of Highway 27/441, by the following roll call vote:***

<b><i>HOLDEN</i></b>	<b><i>YES</i></b>
<b><i>VINCENT</i></b>	<b><i>YES</i></b>
<b><i>RICHARDS</i></b>	<b><i>YES</i></b>
<b><i>KUSSARD</i></b>	<b><i>YES</i></b>

Mayor Kussard asked if there was any public comment on Ordinance No. 2015-06, and hearing none, asked for a motion.

***Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the Commission approved Ordinance No. 2015-06 – Second/Final Reading – Sawmill Holdings, LLC – Rezoning Application to Change Future Land Use from Single Family Medium Density (RS-6) to Commercial Tourist (CT) to Establish an RV Park Facility – Located at 3105 Hartsock Sawmill Road, Approximately 1,500 Ft. East of Highway 27/441, by the following roll call vote:***

<b><i>HOLDEN</i></b>	<b><i>YES</i></b>
<b><i>VINCENT</i></b>	<b><i>YES</i></b>
<b><i>RICHARDS</i></b>	<b><i>YES</i></b>
<b><i>KUSSARD</i></b>	<b><i>YES</i></b>

Mayor Kussard asked if there was any public comment on Ordinance No. 2015-07, and hearing none, asked for a motion.

*Upon a motion by Commissioner Vincent and seconded by Commissioner Richards, the Commission approved Ordinance No. 2015-07 – Second/Final Reading – Sawmill Holdings, LLC – Special Exception Use Application to Incorporate Terms and Conditions for the Development and Operation of a 185 Unit RV Park Facility with a 4,500 Sq. Ft. Clubhouse, Bathhouse, Registration Building and Park – Located at 3105 Hartsock Sawmill Road, Approximately 1,500 Ft. East of Highway 27/441, by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**23. a) Ordinance No. 2015-08 – Second/Final Reading – The Villages of Lake-Sumter, Inc. – Annexing 11 Lots (Approximately 1.56 +/- Acres of Land) – Located within Orange Blossom Gardens Units 1, 2, 3, and 3.1B within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title

**b) Ordinance No. 2015-09 – Second/Final Reading – The Villages of Lake-Sumter, Inc. – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for 11 Lots (Approximately 1.56 +/- Acres of Land) – Located within Orange Blossom Gardens Units 1, 2, 3, and 3.1B within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title

**c) Ordinance No. 2015-10 – Second/Final Reading – The Villages of Lake-Sumter, Inc. – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for 11 Lots (Approximately 1.56 +/- Acres of Land) – Located within Orange Blossom Gardens Units 1, 2, 3, and 3.1B within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read each ordinance by title.

Growth Management Director Thad Carroll gave the background summary for these agenda items (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to annex, rezone, and amend the Future Land Use designation of properties consisting of 11 lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 1, 2, 3, and 3.1B. The applications involve 1.56 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The Small-Scale Future Land Use amendment proposes a change from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The MH-HD future land use classification is consistent with the homes in the Orange Blossom Gardens Sections already incorporated by the Town of Lady Lake.

The rezoning proposes a change from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages which are presently in the Town of Lady Lake's jurisdiction

Mr. Carroll showed aerial views of the subject properties to be annexed and adjacent parcels. The eleven lots are spread out along different roads and include the following addresses:

- 1011 Aloha Way
- 806 Beechwood Avenue
- 913 Cindy Drive
- 1004 Nell Way
- 1015 Nell Way
- 1321 Paradise Drive
- 918 Tarrson Boulevard
- 1316 Teakwood Lane
- 704 Truman Avenue
- 819 Truman Avenue
- 1028 Vermont Way

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application. All lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The applications were received on Monday, July 13, 2015, and have been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The applications were found to meet the requirements of the Land Development Regulations (LDRs), as well as the adopted Comprehensive Plan (pending concurrent approval of Ordinance No. 2015-13).

Concurrency Determination Statement: The Villages is proposing to remove existing manufactured homes on 11 lots in a historic section of The Villages known as Orange Blossom Gardens and construct a similar size conventional built home on each lot. There will be no increase in utility services, traffic, population, or recreation use.

Impact on Town Services:

Potable Water-

- ♦ No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer -

- ♦ No impact, lots are served by the Village Center Community Development District Central Sewer System.

Schools –

- ♦ Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation –

- ♦ No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation –

- ♦ The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater –

- ♦ Project will be required to adhere to SJRWMD guidelines and Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

It was noted that: 1) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if The Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area; and 2) the project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

**Future Land Use**

Subject Properties	Lake County Medium Urban Density
<b>Future Land Use of Adjacent Properties</b>	
West	Lake County Medium Urban Density Lady Lake- Commercial General- Retail Sales and Services (RET)
East	Lake County – Medium Urban Density
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

**Zoning**

Subject Properties	Lake County Residential Medium (RM)
<b>Zoning of Adjacent Properties</b>	
West	Lake County Residential Medium (RM) Lady Lake- Planned Commercial (CP)
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)

Mr. Carroll reported that notices to inform the surrounding property owners (193) within 150 feet of the properties proposed were mailed by certified mail, return receipt on Monday, July 20, 2015, and the property was also posted this same day. The property was re-posted again on September 28, 2015. Photos of the posting of the properties were shown, as well as the existing and proposed future land use maps. He stated there have been a couple of questions, but no written objections have been received.

Mr. Carroll reviewed past actions as follows: the Technical Review Committee (TRC) members individually reviewed applications for Ordinance No. 2015-08, Ordinance No. 2015-09, and Ordinance

No. 2015-10 and provided comments on July 30, 2015 and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Planning and Zoning Board heard the applications at their regular meeting on Monday, August 10, 2015 and recommended approval of Ordinance No. 2015-08 with a 3-0 vote, approval of Ordinance No. 2015-09 with a 3-0 vote, and approval of Ordinance No. 2015-10 with a 3-0 vote. At First Reading on Wednesday, September 2, 2015, the Town Commission voted to approve Ordinance No. 2015-08, Ordinance No. 2015-09, and Ordinance No. 2015-10; each by a 4-0 vote.

Mr. Carroll stated that Martin Dzuro is present if there are any questions.

Mayor Kussard asked if there was any public comment on Ordinance No. 2015-08, and hearing none, asked for a motion.

***Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved Ordinance No. 2015-08 – Second/Final Reading – The Villages of Lake-Sumter, Inc. – Annexing 11 Lots (Approximately 1.56 +/- Acres of Land) – Located within Orange Blossom Gardens Units 1, 2, 3, and 3.1B within Lake County, Florida, by the following roll call vote:***

<b><i>HOLDEN</i></b>	<b><i>YES</i></b>
<b><i>VINCENT</i></b>	<b><i>YES</i></b>
<b><i>RICHARDS</i></b>	<b><i>YES</i></b>
<b><i>KUSSARD</i></b>	<b><i>YES</i></b>

Mayor Kussard asked if there was any public comment on Ordinance No. 2015-09, and hearing none, asked for a motion.

***Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved Ordinance No. 2015-09 – Second/Final Reading – The Villages of Lake-Sumter, Inc. – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for 11 Lots (Approximately 1.56 +/- Acres of Land) – Located within Orange Blossom Gardens Units 1, 2, 3, and 3.1B within Lake County, Florida, by the following roll call vote:***

<b><i>HOLDEN</i></b>	<b><i>YES</i></b>
<b><i>VINCENT</i></b>	<b><i>YES</i></b>
<b><i>RICHARDS</i></b>	<b><i>YES</i></b>
<b><i>KUSSARD</i></b>	<b><i>YES</i></b>

Mayor Kussard asked if there was any public comment on Ordinance No. 2015-10, and hearing none, asked for a motion.

***Upon a motion by Commissioner Vincent and seconded by Commissioner Richards, the Commission approved Ordinance No. 2015-10 – Second/Final Reading – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for 11 Lots (Approximately 1.56 +/- Acres of Land) – Located within Orange Blossom Gardens Units 1, 2, 3, and 3.1B within Lake County, Florida, by the following roll call vote:***

<b><i>HOLDEN</i></b>	<b><i>YES</i></b>
<b><i>VINCENT</i></b>	<b><i>YES</i></b>
<b><i>RICHARDS</i></b>	<b><i>YES</i></b>
<b><i>KUSSARD</i></b>	<b><i>YES</i></b>

**24. Ordinance No. 2015-11 – First Reading – David Springstead – Rezoning 49 +/- Acres of Land Owned by Elijah Bailey, Jr., from Heavy Commercial (HC) to Planned Unit Development (PUD) – Located North of Lake Ella Road, and West of Hwy 27/441 (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s office). He stated that the applicant, David Springstead, has filed an application on behalf of the property owner, Elijah Bailey, Jr., to amend the zoning designation of property being 49 +/- acres, located north of Lake Ella Road and west of Hwy 27/441, referenced by Alternate Key #1282594, #1282608, and #3374916.

Mr. Carroll showed aerial views of the subject property and stated it is currently vacant. The applicant is requesting to rezone the properties to Planned Unit Development (PUD) to allow the following uses: General Retail, Office Use, Restaurants, Apartments, Condominiums, Hotels, Restaurant with Bar, and Medical Treatment Use. Attached is Exhibit “C”, detailing the proposed uses and buildings in their foreseen locations on the property. He stated staff recommends approval of this ordinance. The existing and proposed zoning maps of this property were shown.

Mr. Carroll reported that the property was formerly zoned Planned Unit Development (PUD) under Ordinance 2005-20, which provided entitlements for many of the same uses as provided by the current Heavy Commercial zoning under Ordinance No. 2011-19. The intent of Ordinance No. 2011-19 was to rezone the property in a manner that would allow it to be subdivided and marketed in a more flexible manner, as potential developers would have had to adhere to the PUD Ordinance 2005-20. At this time, the property owner has a potential buyer who would like to establish a variety of uses on the property, including apartments, which was removed as an approved use under the Heavy Commercial rezoning of Ordinance 2011-19. The Future Land Use designation of Commercial General – Retail Sales and Services (RET) is the appropriate designation for what the applicant is seeking by this rezoning request; therefore, a future land use map amendment is not needed. The zoning designation of the subject property and the adjacent property is as follows:

**Zoning Designations**

Subject Properties	Lady Lake - Heavy Commercial (HC)
<b>Future Land Use of Adjacent Properties</b>	
West	Lady Lake- Commercial Residential Single Family (RS-6)
East	Lady Lake – Heavy Commercial (HC)
North	Lady Lake – Heavy Commercial (HC)
South	Fruitland Park – Neighborhood Commercial (C-1)

Photos of the property and the posting was shown, as was the conceptual plan for the development. Mr. Carroll stated apartments are planned to abut the Lake Ella Road side and there will be access to the north and the south from Hwy 27/441 and Lake Ella Road, and access may come across to Hartsock Sawmill Road in the future.

Mr. Carroll reported that notices to inform the surrounding property owners (26) within 150’ of the property of the proposed rezoning were mailed by certified mail return receipt on Monday, August 31, 2015; the property was also posted the same day and again on September 28, 2015. He stated there have been no objections received to date, although there have been inquiries, including concern over

the impact apartments would have in the area. Mr. Carroll stated that staff can support the need for the apartments per occupancy rates in the area.

Comments:

- The PUD may be developed in phases; however, parking, stormwater, and all other requirements of the site plan must be in place for each phase to stand alone.
- Site Plans will be required for each phase of the development.
- All development on the property will be served by Town Utilities.

Mr. Carroll reported the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2015-11, provided on September 1, 2015, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the September 12, 2015 meeting, the Planning and Zoning Board voted 3-0 to forward Ordinance No. 2015-11 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2015-11 for second and final reading on Monday, October 19, 2015 at 6:00 p.m.

Mr. Carroll stated that David Springstead is present to answer any questions.

Commissioner Holden asked if the street shown in front of Building H on the conceptual plan is being laid out as a possible extension to development of property to that side in the future.

Mr. Springstead replied that it has been laid out that way behind the pond to provide a cross connection to the property to the north in case of development, and with the idea that the intersection will be signalized in the future.

Mayor Kussard asked if there was any public comment on Ordinance No. 2015-11, and hearing none, asked for a motion.

***Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the Commission approved Ordinance No. 2015-11 – First Reading – Rezoning 49 +/- Acres of Land Owned by Elijah Bailey, Jr., from Heavy Commercial (HC) to Planned Unit Development (PUD) – Located North of Lake Ella Road, and West of Hwy 27/441, by the following roll call vote:***

<b><i>HOLDEN</i></b>	<b><i>YES</i></b>
<b><i>VINCENT</i></b>	<b><i>YES</i></b>
<b><i>RICHARDS</i></b>	<b><i>YES</i></b>
<b><i>KUSSARD</i></b>	<b><i>YES</i></b>

**M. TOWN MANAGER’S REPORT:**

Town Manager Kris Kollgaard stated she wanted to check with the Commissioners to see how they would feel about renewing the lease agreements every three years instead of every year, as it would save staff time and review by the Town Attorney each year. She stated the lease agreements include the 60 day termination notice where either party can opt out.

Commissioner Richards commented that they are all worthy groups and he would be in favor of three year lease terms.

Commissioner Holden, Commissioner Vincent and Mayor Kussard agreed they would also be in favor of the three year lease terms.

Ms. Kollgaard reported that the budget includes funds for iPads, and she would like to make them available to those Commissioners who are interested in trying them out instead of staff making paper copies of the packets for the meetings. She stated the I.T. Director would arrange for lessons for those who choose to use the iPads. Commissioners would be able to make notes on the iPads, and the developers would still furnish the paper site plans for the Commissioners to view.

The Commissioners agreed they would be in favor of trying out the iPads.

**N. MAYOR/COMMISSIONER'S REPORT:**

Commissioner Richards mentioned that he is very happy with staff, especially with Mr. Eagle in getting the air conditioning maintenance all on one contract, and with the idea of using iPads to save paper, etc.

Commissioner Holden commented that Public Works staff did a great job a few weeks ago getting a large tree out of the street in a short amount of time after a bad storm.

**O. PUBLIC COMMENTS<sup>iv</sup>**

Mayor Kussard asked if anyone in the audience would like to speak on any item. There were no comments.

**P. ADJOURN:** The meeting was adjourned at 7:00 p.m.

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Kristen Kollgaard, Town Clerk

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Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

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<sup>i</sup>Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

<sup>ii</sup> This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.

<sup>iii</sup> All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

<sup>iv</sup> This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.